

**OFFICIAL MINUTES**

**MEETING OF THE STATE BOARD OF EDUCATION**

**BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO**

**TRUSTEES OF IDAHO STATE UNIVERSITY**

**TRUSTEES OF LEWIS-CLARK STATE COLLEGE**

**TRUSTEES OF BOISE STATE UNIVERSITY**

**STATE BOARD FOR PROFESSIONAL-TECHNICAL EDUCATION**

**TRUSTEES FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND**

**November 14-15, 2001**  
**Regular Scheduled Meeting**  
**Lewis-Clark State College**  
**Lewiston, Idaho**

The meeting notice was posted and distributed in compliance with Idaho Open Meeting Law requirements. With a quorum present, the meeting was lawfully convened at 2:45 p.m., on November 14, 2001, with Ms. Karen McGee, President of the State Board of Education and Board of Regents of the University of Idaho, presiding.

**Members Present:**

Karen McGee, President  
Blake Hall, Vice President  
Jim Hammond, Secretary  
Paul Agidius  
Marilyn Howard, State Superintendent of Public Instruction  
Roderic W. Lewis (1 hour via teleconference)  
Darrell V Manning

All exhibits referenced in these minutes are on file as permanent exhibits with the Office of the State Board of Education.

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## **BOARDWORK**

### 1. Agenda Approval

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (4-0) to approve the agenda for the November 14-15, 2001 meeting. (Motion #1)

### 2. Rolling Calendar

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (5-0) to approve November 21-22, 2002 as the date and Lewis-Clark State College as the location of the November 2002 regular scheduled meeting. (Motion #2)

### 3. Minutes Approval

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (5-0) to approve the minutes of the September 20-21 and October 18, 2001 meetings. (Motion #3)

Permanent Exhibit #1

## **BUSINESS AFFAIRS and HUMAN RESOURCES COMMITTEE**

Finance

### 1. Agenda Summary

See agenda materials.

2. Institution/Agency Agenda Items

It was moved by Mr. Manning, seconded by Mr. Hammond and carried (5-0) to approve the institution/agency agendas as presented on pages 5-18 (exhibit) for Boise State University, University of Idaho, College of Southern Idaho and the Idaho School for the Deaf and the Blind, except for the University of Idaho=s Item 4.8.1. (Motion #16)

3. Finance Rules to Policy

It was moved by Mr. Manning, seconded by Mr. Hammond and carried (4-0) to approve for First Reading the fiscal section of the Business Affairs and Human Resources policy as presented in Tab 3. (Motion #18)

4. Equity Task Force

Mr. Manning gave an update on the work of the Task Force and reviewed probable recommendations. A final report should be ready in January.

5. Deloitte & Touche Report

Mr. Larry Bird presented the annual financial audit results.

It was moved by Mr. Manning, seconded by Mr. Hammond and carried (6-0) to accept the FY01 Financial Audit Reports of the University of Idaho, Boise State University, Idaho State University, Lewis-Clark State College and Eastern Idaho Technical College. (Motion #17)

6. Budget Update

Mr. Manning gave an update on the status of the state=s General Fund and budget adjustments that will need to be made.

7. Millennium Income Fund Requests

It was moved by Mr. Manning, seconded by Mr. Hammond and carried (6-0) to approve the Millennium Income Fund requests from Idaho State University and Boise State University for FY03 as identified in the exhibit. (Motion #19)

## Human Resources

1. Agenda Summary

See agenda materials.

2. Institution/Agency Agenda Items

It was moved by Mr. Manning, seconded by Mr. Agidius and carried (6-0) to approve the agendas for Idaho State University, the University of Idaho, Lewis-Clark State College and Idaho Public Television. (Motion #20)

3. Employee Benefit

It was moved by Mr. Manning, seconded by Mr. Hall and carried (6-0) to approve delegating to the chief executive officers and agency heads at the colleges, universities and agencies under the governance of the Board of Education, the authority to purchase up to forty-eight (48) months of service in PERSI, providing the opportunity for eligible employees to retire with maximum benefits without being employed during the months that are purchased. (Motion #21)

4. Employee Reductions

It was moved by Mr. Hall and seconded by Mr. Agidius to approve delegating to the chief executive officers and agency heads at the colleges, universities and agencies under the governance of the Board of Education the authority to negotiate employee resignations, including full release of claims, in exchange for monetary payments. The motion was amended to require an annual report of the details be made to the Board. The amended motion carried (6-0). (Motion #22)

Permanent Exhibit #s 3, 4, 5 and 6.

**INSTRUCTION, RESOURCE and STUDENT AFFAIRS COMMITTEE**

1. Agenda Summary

See agenda materials.

2. Committee Minutes

It was moved by Mr. Hammond, seconded by Mr. Agidius and carried (6-0) to receive the CAAP and HERC minutes as stated in the agenda materials. (Motion #23)

3. Proposal: Program Change Request

It was moved by Mr. Hammond, seconded by Mr. Agidius and carried (6-0) to approve Idaho State University=s request to change the Physician Assistant Program from the existing Baccalaureate level to the Master=s level. (Motion #24)

4. WICHE-ISU

It was moved by Mr. Hammond, seconded by Mr. Hall and carried (6-0) to approve Idaho State University=s physical and occupational therapy programs= participation in the WICHE Professional Student Exchange Program. (Motion #25)

5. Differential Fees Proposal - UI

It was moved by Mr. Hammond and seconded by Mr. Agidius to approve the development of the Integrated Business Curriculum at the University of Idaho as an appropriate program for the test of the differential matriculation fee and authorize the University of Idaho to develop and propose to the Board a specific differential fee proposal for this program, recognizing that the program would have assistance for low-income students and that it would be a three-year trial with a report back to the Board. The Board will receive documentation which would give it and its legal counsel comfort as to the legality of the differential fee. No vote taken. (Motion #26)

A substitute motion was moved by Mr. Hall, seconded by Mr. Manning and carried (4-2) to table the request until January to allow the Board to seek an Attorney General advisory opinion. (Motion #27)

6. HERC Appointments

It was moved by Mr. Manning, seconded by Mr. Hammond and carried (6-0) to reappoint Mr. John Huffman and Dr. Dennis Stevens to three-year terms on the Higher Education Research Council, November 2001 through November 2004. (Motion #28)

7. FY02 Funding Report - Collaborative Centers

Information item.

8. FY02 Funding Report - Governor=s Initiatives

Information item.

9. Intellectual Property Update

The consultant=s report should be completed and brought to the Board in the next few months.

10. FY01 and FY02 Idaho Technology Incentive Grant Program

Information item.



Permanent Exhibit #7

**PLANNING, POLICY & GOVERNMENTAL AFFAIRS COMMITTEE**

1. Agenda Summary

See agenda materials.

2. University of Idaho

A progress report was presented by Dr. Robert Hoover.

3. Boise State University

A progress report was presented by Dr. Charles Ruch.

Mr. Hall did not think the Board has ever approved a comprehensive, full service campus in Canyon County, and had concerns about where the expansion is heading.

Mr. Hall asked Dr. Ruch to provide information on courses taught at BSU-West that can be taught economically while maintaining high quality.

4. Lewis-Clark State College

A progress report was presented by Dr. Dene Thomas.

5. Presidents= Council Report

Dr. Miles LaRowe reported on the November 6 Presidents= Council meeting and their meeting later that afternoon with Mr. Hall, Mr. Lewis and Mr. Manning to discuss higher education funding.

6. Fee Increases

Drs. Richard Bowen, Robert Hoover, Charles Ruch and Dene Thomas addressed the Board and reported on the measures their institutions may need to take to address budget concerns. However, it was felt that in order to keep the quality of education at its present level, fee increases in excess of 10 percent will be necessary. Dr. LaRowe said EITC would keep fee increases under 10 percent.

It was moved by Mr. Hammond and seconded by Dr. Howard to remove the 10 percent restriction predicated, on reception of a five-year plan and how it deals with fee

increases. No vote taken. (Motion #11)

A substitute motion was moved by Mr. Manning, seconded by Mr. Agidius and carried (4-3) to approve up to 12 percent for the school year 2002-03 and return to a 10 percent maximum in 2003-04. (Motion #12)

7. Final Reading: Section II.B.

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (4-0) to approve for Second Reading the change to Section II, Human Resources Policies, Item B.3.a.(1) which takes out the requirement that approval for new positions be granted prior to any form or manner of recruitment of applicants. (Motion #6)

8. Idaho State Historical Society

It was moved by Mr. Agidius, seconded by Mr. Hammond and carried (4-0) to approve the reappointment of Eugene Place to the Idaho State Historical Society Board of Trustees for a term of six years. (Motion #7)

It was moved by Mr. Agidius, seconded by Mr. Hammond and carried (5-0) change the Governing Policy and Procedures to reflect actual practice with regard to interviewing candidates for the Idaho State Historical Society Board. (Motion #8)

9. Achievement Standards

It was moved by Mr. Hammond, seconded by Mr. Agidius and carried (7-0) approve the pending rule changes to IDAPA 08.02.03, related to K-12 Achievement Standards. (Motion #13)

10. Assessment

It was moved by Ms. McGee, seconded by Dr. Howard and carried (7-0) to approve the pending rule changes to IDAPA 08.02.03, related to Assessment. (Motion #14)

It was moved by Mr. Agidius, seconded by Ms. McGee and carried (6-0) to place the funding of Assessment and data collection as one of the Board=s top priorities for the upcoming year. (Motion #15)

11. Promise Scholarship

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (5-0) to approve the pending rule changes to IDAPA 08.01.05 related to the Idaho Promise Scholarship. (Motion #9)

12. Minority/At-Risk Scholarship

It was moved by Mr. Hammond, seconded by Mr. Manning and carried (5-0) to approve the pending rule changes to IDAPA 08.01.12 related to the Minority At-Risk Scholarship program. (Motion #9)

The institutions were asked to provide clarification on repayment questions raised by Board members.

13. Other*Progress Reports*

There was discussion on changing the frequency of institution/agency progress reports from quarterly to semi-annually. It was agreed by unanimous consent to delegate setting the reporting schedule to the chair.

*Meeting with Legislators*

Meetings with key legislators will be scheduled in late December or early January. Suggested agenda topics were:

1. Work with the legislature to get something before the people to amend the Constitution to allow charging tuition at the college and universities.
2. Implementation of Early Childhood Reading Programs.
3. Assessment and Accountability.

*January Meeting*

An open forum for legislators will be provided.

*February Meeting*

The approved February dates (28-29) will be kept open to meet with legislators, if possible.

*JFAC Hearings*

The Board will be kept apprised of the hearing schedule.

*Legislative Updates*

OSBE staff will keep the Board updated via email on legislative matters.

*Terrorism on Campus*

Dr. Robert Hoover will keep the Board apprised of state and federal legislation addressing terrorism on college campuses.

**OTHER**1. Executive Session

It was moved by Mr. Hammond and seconded by Mr. Hall to enter into Executive Session per *Idaho Code* 67-2345, (1) (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student, (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency; and (f) to consider and advise its legal representative in pending litigation or where there is a general public awareness of probable litigation. A roll call vote was taken:

AYES: Dr. Howard, Mr. Manning, Mr. Hall, Mr. Agidius, Mr. Hammond, Ms.  
McGee  
NAYS: None  
ABSTAIN: None  
ABSENT: Mr. Lewis

The motion carried (7-0). (Motion #4)

During the Executive Session, the Board considered the evaluation and dismissal of personnel, discussed an interest in real property which is not owned by a public agency and considered pending litigation.

(Minutes taken by Ms. Jane Hochberg.)

2. Open Forum

Tyson Smith - Student Fees  
Leah Clark-Thomas - Student Fees  
Nate Peterson - Student Fees

3. Land Exchange in Idaho Falls - University of Idaho/Idaho State University

It was moved by Mr. Hall, seconded by Mr. Agidius and carried (6-0) to delegate to the President of the Board and Executive Director of the Board authority to review the documents for the closing of that transaction and to execute those documents on behalf of the Board without having a special meeting to approve that documentation. (Motion #5)

4. Assessment and Accountability

Ms. McGee and Dr. Tom Bitterwolfe updated the Board on the Commission=s progress.

5. Good of the Order

- 1) In January, the Board will review the 2002 rolling calendar.

**STATE DEPARTMENT OF EDUCATION****A. Achievement Standards Implementation**

Dr. Mary Ann Ranells gave an overview of the implementation process.

**B. NNU Teacher Preparation Program Approval**

It was moved by Dr. Howard, seconded by Mr. Agidius and carried (6-0) to approve the request for the Northwest Nazarene University Teacher Preparation Program Review Report as submitted. (Motion #31)

Northwest Nazarene University (NNU) is one of the first institutions completing the NCATE standards. Mr. Hammond asked that a note of congratulations be sent to them.

**C. Request for LOA**

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (5-0) to approve the requests for Letters of Authorization as submitted by the Professional Standards Commission. (Motion #32)

**D. Petitions to Redefine Trustee Zones**

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (5-0) to approve the proposals from the below listed school districts to redefine their trustee zones. (Motion #29)

Plummer-Worley Jt SD #44  
Garden Valley SD #71  
West Bonner County SD #83  
Lake Pend Oreille SD #84  
Bonneville Jt SD #93  
Camas County SD #121  
Melba Jt SD #136  
Parma SD #137  
Mackay Jt SD #182  
Preston Jt SD #201  
Jerome Jt SD #261  
Coeur d'Alene SD #271  
Troy SD #287

Whitepine Jt SD #288  
Shoshone Jt SD #312  
Sugar-Salem Jt SD #322  
Minidoka Jt SD #331  
Oneida County SD #351  
Homedale Jt SD #370  
Wallace SD #393  
Avery SD #394

E. Troy/Whitepine Property Exchange

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (6-0) to approve the petition to transfer property from Troy School District #287 to Whitepine Jt. SD #288. (Motion #34)

F. Annual Hardship Report-Albion Elementary School

The Board did not rescind the hardship status. The item will be brought back in 2002.

G. Administrative Staff Allowance

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (5-0) to approve the requests by Salmon SD #291, Shoshone Jt SD #312 and Marsing Jt SD #363 for additional administrative staff to meet accreditation standards. (Motion #30)

H. Transportation Pending Rule

It was moved by Dr. Howard, seconded by Mr. Hammond and carried (6-0) to approve the pending rule changes to IDAPA 08.02.02 related to pupil transportation as shown in Attachment B4 (of the agenda materials) and the Standards for Idaho School Buses and Operations dated November 15, 2001. (Motion #33)

I. Superintendent=s Report

Dr. Howard reported on:

- 1) Student enrollment figures.
- 2) Idaho Student Information Management System (ISIMS).
- 3) Funding for Achievement Standards implementation.
- 4) Books for needy children project.



ADJOURNMENT: November 14, 7:45 p.m.  
November 15, 2:00 p.m.

CERTIFICATION:

These minutes are not verbatim. However, to the best of my knowledge, they constitute a complete and accurate record of the proceedings of the meeting.

Recording Secretary: Vicki E. Barker